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Dated: 4/3/06 Signature: Maura A. Gallagher
(Maura A. Gallagher)

Docket No.: SUPP-P01-011
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Blau et al.

Application No.: 10/688747

Confirmation No.: 1982

Filed: October 16, 2003

Art Unit: 1633

For: METHODS FOR TREATING DISORDERS OF
NEURONAL DEFICIENCY WITH BONE
MARROW-DERIVED CELLS

Examiner: Q. J. Li

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed March 2, 2006, applicant hereby provisionally elects with traverse Group III for continued examination.

The Examiner has required restriction to one of the following groups of claims: Group I (claims 1-21, 35, and 36), Group II (claims 22-33, 37, and 38), and Group III (claims 34, 39, and 40).

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application and a search of the two or more independent and distinct inventions would impose an undue burden on the examiner. In the present case, Group I is drawn to a method of treating a neuronal deficiency, Group II is drawn to a method for improving memory function in an individual with deficient memory function and Group III is drawn to a method of treating a neuronal deficiency by bone marrow cell mobilization therapy. Although the method of treatment of Group III differs from the method of treatment of Groups I

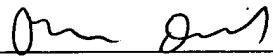
and II, all three Groups comprise the limitation that the therapy induces formation of bone marrow-derived neurons in a nervous system. Applicant therefore believes that a search of the subject matter of all three groups would not impose an undue burden.

It is respectfully requested that the restriction requirement be withdrawn, and that each of Groups I-III presently pending in this application be examined. Applicant reserves the right to prosecute the non-elected claims in this or future applications.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. SUPP-P01-011 from which the undersigned is authorized to draw.

Dated: April 3, 2006

Respectfully submitted,

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